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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/771,542	01/29/2001	Hideo Okano	01045/LH	9601

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FRISHAUF, HOLTZ, GOODMAN & CHICK, PC
767 THIRD AVENUE
25TH FLOOR
NEW YORK, NY 10017-2023

EXAMINER

JACKSON, JAKIEDA R

ART UNIT PAPER NUMBER

2655

DATE MAILED: 03/03/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/771,542	Applicant(s) OKANO, HIDEO	
	Examiner Jakieda R Jackson	Art Unit 2655	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 March 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1, 2 and 4-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 5-11 and 18-21 is/are allowed.
- 6) ☒ Claim(s) 1, 2, 4, 12-17 and 22-24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input checked="" type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date: _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date: _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Restarting Response Time Period

1. The Notice of References Cited mailed February 23, 2005 was defective. This supplemental action is replacing said action mentioned above. The statutory period for reply is set to expire 3 months from the mailing date of this supplemental action.

Continued Examination Under 37 CFR 1.114

2. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed December 27, 2004 has been entered.

Response to Amendment

3. In response to the Office Action mailed February 3, 2005, applicant submitted an amendment filed on December 27, 2004, in which the applicant requested reconsideration with respect to the amended claims, which were amended to more clearly define the present claimed invention.

Response to Arguments

4. Applicant argues that the amended and added claims are distinctively patentable over the prior art used.

Regarding claim 1, applicant argues that the data tables shown in the prior art rejections does not store a plurality of ID data for predetermined ID data items as now recited in amended claim 1.

However, applicant's arguments have been considered but are moot in view of the new ground(s) of rejection.

Regarding claims 5 and 8, applicant argues that the prior art rejection does not comprise a connection number allocation means for, after connecting the external data recording and reproducing apparatuses to the information processing apparatus, allocating a connection number to each of the connected external data recording and reproducing apparatuses. Applicant's arguments are persuasive.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. **Claims 1-2, 4, 12, 15-17 and 22** are rejected under 35 U.S.C. 103(a) as being unpatentable over Holloran et al. (U.S. Patent No. 5,369,573), hereinafter referenced as Holloran in view of Kato (U.S. Patent No. 5,974,005).

Regarding **claims 1 and 15**, Holloran discloses structured document syntax management, comprising:

a data table (figure 1, element 102) for storing a plurality of ID data for predetermined ID items (column 2, lines 59-68);

ID data selecting means for selecting arbitrary ID data (selecting ID numbers) from the ID data of the predetermined ID item stored in the data table (column 2, lines 21-24);

data file creating means for creating a data file (document created) by adding the ID data selected by the ID data selecting means (selecting ID numbers) as header information (heading; column 2, lines 21-24);

recording means for recording said the data file in a recording medium (table record; column 3, lines 45-50); and

changing means (created new information; column 4, lines 53-57) for communicating with an external apparatus connected to the voice recording and reproducing apparatus (abstract) and for changing the ID data stored in the data table based upon information sent from the external apparatus (assigns new ID information; column 4, lines 53-57 and column 5, lines 16-21), but Holloran does not specifically disclose conversion means.

Kato discloses an information processing apparatus and method enabling editing and data tracks by using a data table comprising:

recording means for recording the data file in a recording medium (recording data in a CD: column 5, lines 12-15); and

conversion means (analog-to-digital converter; figure 2, element 29) for converting inputted voice signals into digitized voice data (column 5, lines 8-9), which allows the digital data to be compressed.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Holloran's apparatus such that it comprises conversion means, to record data in the mini disc in a compressed manner (column 5, lines 8-19).

Regarding **claims 2 and 16**, Holloran discloses the apparatus wherein

said changing means (editor) rewrites the ID data stored in the data table with ID data sent from said external apparatus (column 5, lines 16-21 and column 4, lines 53-59), but does not specifically disclose the data table is a rewritable nonvolatile storage medium.

However, if the information can be edited and new information can be assigned, it would have been obvious to one of ordinary skill in the art at the time the invention was made that a rewriteable nonvolatile storage medium is used, to allow information to be rewritten to allow editing of information, as taught by Holloran (column 4, lines 53-59 and column 5, lines 16-21).

Regarding **claims 4 and 17**, Holloran discloses the apparatus wherein

Wherein said changing means can change ID data identifying work type (performer table record), which is stored in the data table (column 3, lines 45-55).

Regarding **claims 12 and 22**, Holloran discloses structured document syntax management, comprising:

device selecting means for selecting an arbitrary data (selecting information) recording and reproducing apparatus from the plurality of external data recording and reproducing apparatuses connected to the information processing means (column 2, lines 21-32 with the abstract);

changing means for changing a data table stored in the data recording and reproducing apparatus selected by the device selecting means (creates new record table; column 4, lines 53-57 with column 5, lines 16-21),

wherein the data table stores a plurality of data that a user can select, for predetermined ID items (selecting a series of step ID numbers), and when the external data recording and reproducing apparatus records data the ID data selected by the user, of the plurality of ID data, is recorder as header information (heading; column 2, lines 32-24 with the abstract).

7. **Claims 13-14 and 23-24** are rejected under 35 U.S.C. 103(a) as being unpatentable over Holloran in view of Kato, as applied to claim 1 above, and further in view of Douma et al. (U.S. Patent No. 5,583,965), hereinafter referenced as Douma.

Regarding **claims 13 and 23**, Holloran in view of Kato discloses everything as claimed in claim 1. In addition, Holloran discloses structured document syntax management, comprising:

transmitting means for transmitting ID data to the data recording and reproducing apparatus (column 2, lines 59-68),

wherein the changing means changes the data table (creates a new table) in accordance with the ID data (ID information) transmitted from the information processing apparatus (column 4, lines 53-59 with column 5, lines 16-21 with the abstract), but Holloran in view of Kato lacks the device selection means.

Douma discloses an apparatus for training and operating voice recognition systems comprising:

device selection means (figure 1, elements 12, 16 and/or 18) for selecting an arbitrary data recording and reproducing apparatus from a plurality of data recording reproducing apparatuses (figure 1, elements 42, 44, 46 etc.) connected to the information processing apparatus (figure 10), to obtain various functions.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Holloran in combination with Kato's apparatus

and system such that it comprises a device selection means, which allows various devices to be controlled, for versatility (column 4, lines 9-16).

Regarding **claims 14 and 24**, they are interpreted and rejected for the same reasons as set forth in claim 4.

Allowable Subject Matter

8. **Claims 5-11 and 18-21** are allowed.

The following is a statement of reasons allowance:

As for independent claims 5, 8 and 18, they recite an information processing apparatus and recording medium for which a plurality of external data recording and reproducing apparatuses and mediums for digitizing and recording inputted signals in a recording medium are connectable. Prior art such as Terui and Kato discloses similar apparatuses and recording mediums but fails to teach the recited apparatus and recording medium wherein it comprises a connection number allocation means for, after connecting the external data recording and reproducing apparatuses to the information processing apparatus, allocating a connection number to each of the connected external data recording and reproducing apparatuses.

Dependent claims 6-7, 9-11 and 19-21 are allowed because they further limit their parent claims.


Conclusion

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jakieda R Jackson whose telephone number is 703.305.5593. The examiner can normally be reached on Monday through Friday from 7:30 a.m. to 5:00p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Doris To can be reached on 703. 305.4827. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JRJ
March 1, 2005


DAVID L. OMETZ
PRIMARY EXAMINER